

**MINUTES OF THE REGULAR MEETING OF THE  
SAN MARCOS PLANNING AND ZONING COMMISSION  
COUNCIL CHAMBERS, CITY HALL  
May 11, 2010**

**1. Present**

**Commissioners:**

Sherwood Bishop, Chair  
Bill Taylor, Vice-Chair  
Randy Bryan  
Bucky Couch  
Jude Prather  
Curtis O. Seebeck (absent)  
Allen Shy  
Jim Stark  
Chris Wood

**City Staff:**

Matthew Lewis, Assistant Director  
Francis Serna, Recording Secretary  
Phil Steed, Planner  
John Foreman, Planner

**2. Call to Order and a Quorum is Present.**

With a quorum present, the Regular Meeting of the San Marcos Planning & Zoning Commission was called to order by Chair Bishop at 6:00 p.m. on Tuesday May 11, 2010 in the Council Chambers, City Hall, City of San Marcos, 630 E. Hopkins, San Marcos, Texas 78666.

**3. Chairperson's Opening Remarks.**

Chair Bishop welcomed the audience.

4. **NOTE:** *The Planning & Zoning Commission may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The Planning and Zoning Commission may also publicly discuss any item listed on the agenda for Executive Session;*

**5. Citizen Comment Period**

Steve Ramsey, Baker-Aicklen & Associates, 3206 Yellow Pine Terrace, Austin, TX stated he was present on behalf of Randall Morris, President of Cottonwood Creek JDR. He said he was before the Commission for the annual renewal of the Cottonwood Creek Subdivision Master Plan approved every year since 2004. Mr. Ramsey stated that there are no changes to the Master Plan. He explained that he would like to clarify one thing in the staff report on page 3 of 5 regarding the Watershed Phase II requirements. He stated that they acknowledge the requirements and that the Watershed Phase II permit has been obtained for all of Phase I of the project and a portion of Phase III. Mr. Ramsey stated that he was available to answer questions.

6. CUP-10-06. Hold a public hearing and consider possible action on a request by Michael Dameshghi, on behalf of Knoll Creek Investment, Inc. for an amendment of a Conditional Use Permit to allow on-premise consumption of mixed beverages at 312 E. Hopkins.

Chair Bishop opened the public hearing. There were no citizen comments and the public hearing was closed.

**MOTION:** Upon a motion made by Commissioner Couch and a second by Commissioner Taylor, the Commission voted seven (7) for and one (1) opposed, to approve the request with the conditions that the CUP shall be valid for one (1) year, provided standards are met, subject to the point system; the applicant shall receive all necessary building permits; the applicant shall receive all necessary inspections and approvals from the Health Department; there shall be no amplified live music without first amending the CUP, and Information sheets shall be submitted to the Permit Center for all temporary signage. The motion carried. Commissioner Stark voted no.

7. CUP-10-07. Hold a public hearing and consider possible action on a request by Carlos Hernandez, on behalf of Alex Robles, Casa Maria Restaurant, for a Conditional Use Permit to allow a parking lot to be the primary use at 202 Roosevelt Street. This parking will meet the additional parking requirement for the Casa Maria Restaurant at 202 Roosevelt.

Chair Bishop opened the public hearing. There were no citizen comments and the public hearing was closed.

**MOTION:** Upon a motion made by Commissioner Bryan and a second by Commissioner Couch, the Commission voted seven (7) for and one (1) opposed, to approve the request with the conditions that the proposed parking lot will need to meet all zoning and setback requirements of the MU zoning classification; the 6 foot fence should be installed for privacy between the proposed parking lot and any adjacent residences in conformance with ZBOA requirement; continue to work with a Certified Arborist on the preservation of existing trees and lighting designer to meet all tree preservation/lighting requirements; pull all appropriate permits through the Permit Center including a Comprehensive Site Preparation Permit. The motion carried. Commissioner Stark voted no.

8. PVC-10-01. Hold a public hearing and consider possible action on a request by Gloria Velasquez for a platting variance to Section 4.4.1.1(b) of the Land Development Code, which requires that "Flag" lots (i.e. lots with minimal, or panhandle type, frontage) shall not be permitted; to allow a flag lot to be platted at 2410 Offermann Hill Road, San Marcos, TX.

Chair Bishop opened the public hearing. Gloria Velasquez, owner of property explained that when she purchased the property it was outside the city limits of San Marcos. She said her intention when she purchased the property was to plat the property into 2 lots and give one lot to one of her children. Ms. Velasquez further explained that in September of '09 the property became part of the ETJ. She purchased the property in 2006 when it was not part of the ETJ. Ms. Velasquez feels that platting the property will not harm anyone or adjacent properties. She said the property is currently irregularly shaped. In addition, the adjacent property owner located behind her property has to drive at least one mile to arrive at his house. Ms. Velasquez stated that she has no intention of selling the property and that she wants her family to benefit from the property.

Mr. Martinez, 2460 Offerman Hill Road stated he was Ms. Velasquez' neighbor, said his lot is approximately 1000 ft. long and narrow. He explained that they purchased the lots because want to share the property with their children. Mr. Martinez stated that when he purchased his lot the property was in Guadalupe County and is located approximately seven miles from San Marcos. Mr. Martinez commented that he shared Ms. Velasquez' feeling and he does not have anything against her platting her property.

**MOTION:** Upon a motion made by Commissioner Couch and a second by Commissioner Bryan, the Commission voted five (5) for and three (3) opposed, to postpone the request to the May 25, 2010 Planning and Zoning Commission meeting to allow staff to further meet with the applicant. The motion carried. Commissioners Shy, Stark and Taylor voted no.

**9. PVC-10-02.** Hold a public hearing and consider possible action on a request by Gloria Velasquez for a platting variance to Section 6.7.1.2(c) of the Land Development Code, which prohibits the platting of a severely elongated lot (in excess of a three to one length to width ratio; to allow a lot with a six to one length to width ratio to be platted at 2410 Offermann Hill Road, San Marcos, TX.

Chair Bishop opened the public hearing. There were no citizen comments and the public hearing was closed.

**MOTION:** Upon a motion made by Commissioner Prather and a second by Commissioner Bryan, the Commission voted five (5) for and three (3) opposed, to postpone the request to the May 25, 2010 Planning and Zoning Commission meeting to allow staff to further meet with the applicant. The motion carried. Commissioners Shy, Stark and Taylor voted no.

There was a ten minute recess.

**10. PC-04-10(01F).** Consider a request by Baker-Aicklen & Associates on behalf of Cottonwood Creek JDR, Ltd., for approval of the Master Plan renewal of Cottonwood Creek Subdivision, consisting of approximately 471.97 acres at the intersection of State Highway 123 and Monterrey Oak, San Marcos, TX.

**MOTION:** Upon a motion made by Commissioner Prather and a second by Commissioner Taylor, the Commission voted eight (8) for and none (0) opposed, to approve the request. The motion carried unanimously.

**11.** Hold a public hearing to receive comments regarding the City of San Marcos proposed Capital Improvements Program (CIP). The proposed CIP will address 3-year "Fiscally Constrained" (2011-2013) and "future funding" from 2014-2021.

Matthew Lewis gave a brief overview of the proposed Capital Improvements Program.

Chair Bishop opened the public hearing.

James Wilson, member of the San Marcos Library Board urged serious consideration of the Library component of the CIP project. He pointed out that the Library is a community cultural treasure that is physically stressed. Mr. Wilson explained that the library is currently visited by approximately 1100 people daily. He stated that clientele is from preschoolers to seniors and services run from puppet shows to tax aide, as well as how to write a will, GED classes. Mr. Wilson pointed out that the library has become a community education center. He said that the old idea of a lending library is in the past because of the rate of usage. Mr. Wilson provided the Commission with handout explaining the CIP Proposal for Expansion and Renovation of the San Marcos Public Library. He told the Commission that they are in need of help to renovate and expand the library by approximately 2700 sq. ft and an additional 50 parking spaces. Mr. Wilson also pointed out that without dedicated and talented staff a library could not be run efficiently.

John Meeks, 104 E. Sierra Circle, stated that in 1980 he resigned from the Planning and Zoning Commission and went to a calmer board, The Library Board and the Economic Financial Board. Mr. Meeks asked the Commission to review the handout provided by Mr. Wilson, a comparison of the San Marcos Public Library to Ten Benchmark Public Libraries in which San Marcos is in the center bracket. He also asked the Commission to consider the infrastructure of the City and approve the \$150,000 feasibility to develop a library within the next 4 ½ years.

Linda Coker, 1105 San Marcos Pkwy, Chair of Library Board and a San Marcos Representative to the Central Texas Library System. Ms. Coker spoke regarding the intangible part of the library. She stated that Library has direct and immediate effects on patrons.

Matt Akins, 923 Sycamore Street, stated he encouraged the Capital Improvements Plan Projects regarding bicycle and pedestrian access and safety. Mr. Akins added that projects that are safe and smart with increase the number of people not driving cars. He added that parking and traffic is always an issue in this town. Mr. Akins added that more people walking and biking decreases vehicular traffic and parking. He added that there is no safe way to bike or walk to the Activity Center, Library, City Hall or the big H.E.B.

There were no additional citizen comments and the public hearing was closed.

## **12. Discussion Items.**

Commission members and staff may discuss and report on items related to the Commission's general duties and responsibilities. The Commission may not take any vote or other action on any item other than to obtain a consensus regarding items that will be placed on future agendas for formal action.

Commissioner Shy announced that he has moved outside the city limits and has resigned. He pointed out that his last meeting will be on May 25, 2010.

## **Planning Report**

There were no Planning Reports.

## **Commissioners' Report**

There were no Commissioners' Reports.

## **13. Consider approval of the minutes from the Regular Meeting of April 27, 2010.**

**MOTION:** Upon a motion made by Commissioner Prather and a second by Commissioner Shy, the Commission voted five (5) for and none (0) opposed and three (3) abstained, to approve the request. The motion carried. Commissioners Bryan, Couch and Taylor abstained.

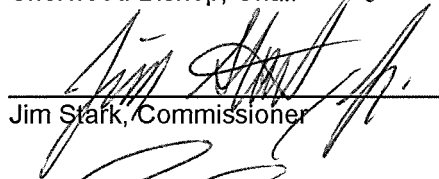
## **14. Questions and answers from the Press and Public.**

There were no questions from the press and public.

**15. Adjournment**

Chair Bishop adjourned the Planning and Zoning Commission at 8:39 p.m. on Tuesday, May 11, 2010.

  
\_\_\_\_\_  
Sherwood Bishop, Chair

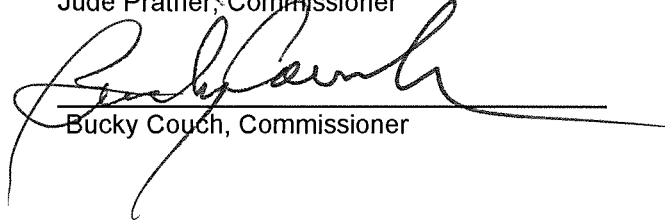
  
\_\_\_\_\_  
Jim Stark, Commissioner

  
\_\_\_\_\_  
Chris Wood, Commissioner

  
\_\_\_\_\_  
Randy Bryan, Commissioner

  
\_\_\_\_\_  
Bill Taylor, Commissioner

  
\_\_\_\_\_  
Jude Prather, Commissioner

  
\_\_\_\_\_  
Bucky Couch, Commissioner

\_\_\_\_\_  
Allen Shy, Commissioner

ATTEST:

  
\_\_\_\_\_  
Francis Serna, Recording Secretary

